

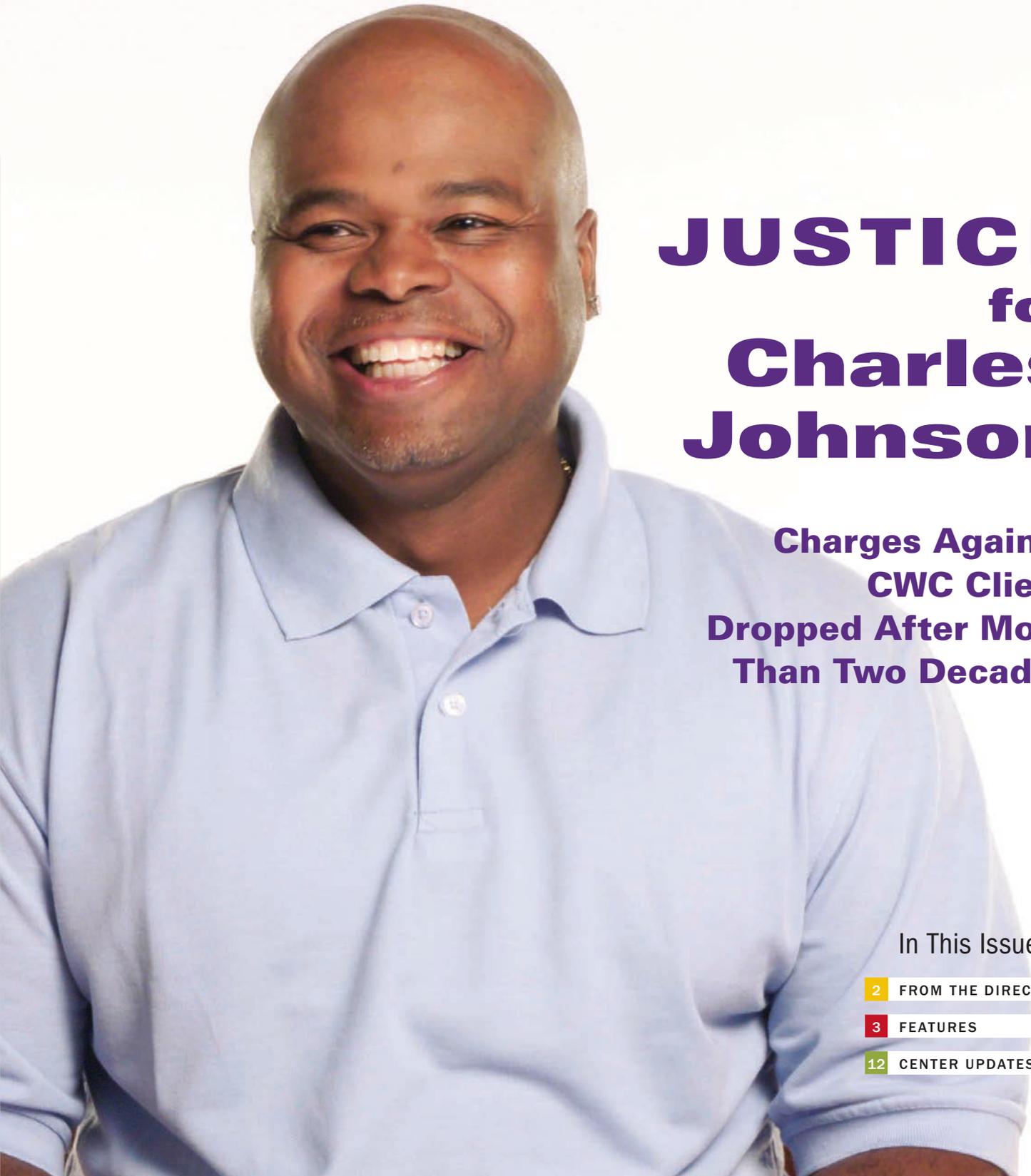
Northwestern

PRITZKER SCHOOL OF LAW

Bluhm Legal Clinic

# news & notes

FALL 2017



## **JUSTICE** for **Charles** **Johnson**

**Charges Against  
CWC Client  
Dropped After More  
Than Two Decades**

In This Issue

**2** FROM THE DIRECTOR

**3** FEATURES

**12** CENTER UPDATES

## FROM THE DIRECTOR



The mission of the Bluhm Legal Clinic is to train skilled, ethical, and public-spirited lawyers integral to a society that values and promotes justice. In a dynamic era for law and society, this mission is more critical than ever.

I am profoundly honored to succeed Tom Geraghty as the director of the Bluhm Legal Clinic. Tom's thoughtful lawyering, excellence in teaching, and commitment to justice have inspired his students, colleagues and clients for over 40 years. The Bluhm Legal Clinic's position at the forefront of clinical legal education and evolving issues in social justice today is due to Tom's tireless efforts on its behalf.

But the old saying that "success has a hundred fathers" also applies to the clinic. This issue of the newsletter features a story about the exoneration of Charles Johnson, wrongly convicted of a double murder in the 1990s and represented for over 8 years by my colleague Steve Drizin and his outstanding team of lawyers and law students; profiles of Abby Parr and Samantha Woo, two clinic alumni in government and private practice, respectively, whose commitment to public service and rule of law embody the mission of the clinic; and much more.

The hallmark of our faculty is dedication and innovation. These

qualities embody the dedicated trial advocacy professors and coaches of our trial advocacy classes and teams, including the student team that won first place at the 2017 National Trial Competition. They embody the faculty and staff of the Children and Family Justice Center, whose compassionate and strategic advocacy for children and families includes client representation in a variety of proceedings, policy advocacy, and holistic social support. Celebrating the 25th anniversary of their founding in 2017, my CFJC colleagues are creative leaders in their field, initiating last year a wide ranging speaker series on lawyering and race in the 21st century.

I could go on. Suffice it to say that it is a privilege to work at the Bluhm Legal Clinic, and to further its vital mission. I welcome your input on how best we can achieve it; my door is always open.

Juliet Sorensen  
Associate Dean and Director

*Cover: CWC client Charles Johnson embraces his mother, Theresa, at a press conference discussing his exoneration.*

## FEATURES

# Canadian Supreme Court Justice Rosalie Abella Honored as Global Jurist of the Year

Justice Rosalie Silberman Abella, who serves on the Supreme Court of Canada, was given the Global Jurist of the Year Award by the Bluhm Legal Clinic’s Center for International Human Rights (CIHR) on January 25.

“Justice Abella has stood throughout her judicial career for the enforcement of human rights principles for all Canadians, regardless of their gender, ethnicity or station in life,” said Professor David Scheffer, director of CIHR.

workplace discrimination against women, aboriginal peoples, minorities and those with disabilities.

Her seminal work on this commission, now known as the Abella Commission, led to the creation of the concept of employment equity. She was appointed in 1992 to the Court of Appeal for Ontario, where her rulings included the 1998 landmark decision that resulted in the extension of survivor benefits to same-sex partners. In 2004, she was appointed to the Supreme Court of Canada.

Prior to the awards reception, Abella gave a talk to Northwestern students, faculty, and staff about the struggles of modern democracies and the tension between individual rights and protection of vulnerable groups from discrimination.

“The most basic of the central concepts we need back in the conversation is that democracy is not—and never was—just about the wishes of the majority. What pumps oxygen no less forcefully through vibrant democratic veins is the protection of rights, through the courts, *notwithstanding* the wishes of the majority,” Justice Abella said.

“To paraphrase Martin Luther King, the arc of the moral universe may be long, but it decidedly and increasingly does not always bend

towards justice,” she said. “Why should we care? Because if we don’t, too many children will never get to grow up period, let alone grow up in a moral universe that bends towards justice.”

The Global Jurist of the Year Award honors a sitting judge, in an international or national court, who has demonstrated a life of professional commitment—at times in the face of adversity—to upholding and defending fundamental human rights or principles of international criminal justice. Jurists from all nations and tribunals are eligible for consideration. Abella is the fourth recipient of the award. Past recipients include the Honorable Gloria Patricia Porras Escobar, president of the Guatemalan Constitutional Court; Justice Shireen Avis Fisher, president of the Special Court for Sierra Leone; and Acting Chief Justice Dikgang Moseneke of South Africa’s Constitutional Court. ■



*Justice Rosalie Silberman Abella speaks to the Northwestern Law community about protecting the rights of vulnerable groups.*

Born in a displaced persons’ camp in Stuttgart, Germany, in 1946, Justice Abella is the daughter of Holocaust survivors. She is the first Jewish woman and the youngest person ever appointed as a judge in Canada. She also is the first Jewish woman appointed to the country’s Supreme Court.

Abella received her undergraduate and law degree from the University of Toronto. She practiced civil and criminal law until 1976, when she was appointed to the Ontario Family Court. She then served on the Ontario Human Rights Commission for five years, and as chair of the Ontario Labour Relations Board, the Ontario Study into Access to Legal Services by the Disabled and the Ontario Law Reform Commission.

In 1983, she was appointed sole commissioner of the federal Royal Commission on Equality in Employment, which sought to address

# ON THE RECORD

“If placing youth on the sex offender registry positively impacted public safety, a discussion about whether and which of these youth belong on the registry would be appropriate. But to the contrary, empirical evidence recently cited by both the Illinois Criminal Justice Information Authority and the Illinois Juvenile Justice Commission suggests that placing youthful offenders on registries can actually be counterproductive in this regard. Meanwhile, the damage done by placing kids on the registry is all too real. Once labeled a “registered sex offender,” it becomes harder for young people to find and keep gainful employment, to continue their education, even to find a place to live. Add to this the psychological burden of shame, isolation and stigma, and it becomes too much for some youth to bear.”

– **Professor Carolyn Frazier**, “Today’s Scarlet Letter – The Sex Offender Registry – Is Risky Justice For Youth,” *Chicago Tribune*, 5/26/2017



“[Attorney General Jeff Sessions’] memo on criminal sentencing to his staff released to the public Friday marks the latest — and perhaps most damaging — move in a law-and-order counter-reformation centered on hurting people of color. [...] The

attorney general’s move is stunning because a broad consensus had emerged across the ideological spectrum. From Sen. Bernie Sanders, I-Vt., and former U.S. Attorney General Eric Holder to former House Speaker Newt Gingrich and the Koch Brothers, the belief is that mass incarceration has spiraled out of control, becoming unsustainable both fiscally and morally. It is no secret that Sessions’ new policy will hurt people of color in particular, who already bear the brunt of mass incarceration. They languish in prisons and jails at disproportionate rates. Today, there are more black men incarcerated or under parole supervision than there were slaves when the Civil War broke out.”

– **Professor David M. Shapiro**, “No denying: Sessions’ moves revive allegations of racism,” *Chicago Tribune*, 5/15/2017

“While City Hall is eager to blame Springfield, there is much the city itself can be doing: Reduce racial gaps in jobs and education. Use public health approaches to prevent violence. Rely less on unproven mandatory minimum prison terms that return people in worse shape than before. And immediately implement all of those year-old police reform recommendations so the public knows what kind of accountability the officers who feed these databases and use these watchlists are subject to. There’s been more than enough big talk. It’s time for real bravery.”

– **Professor Stephanie Kollman**, “An enormous list of names does nothing to combat Chicago crime,” *Chicago Sun-Times*, 5/16/2017

“Although every other American court — at both the state and federal levels — has adopted some version of the American Bar Association’s Model Code of Judicial Conduct, the justices on the nation’s highest court have steadfastly refused to promulgate any such code for themselves. ... Codes ranging from the Ten Commandments to municipal building regulations are violated every day — thus failing to guarantee integrity — but only an avowed anarchist would consider them unnecessary. At the Supreme Court level, in any case, the function of an ethics code is not to guarantee integrity, and even less to compel compliance or punish violations — the latter of which would be impossible, given that the justices enjoy life tenure and cannot be disciplined short of impeachment. Instead, the objective of a code would be to set discernible standards for the justices’ conduct so that the public could know the norms to which the justices are holding themselves.”

– Professor Steven Lubet, “Justice Gorsuch Can Forget About Ethics Code For Court Now” *CNN.com*, 4/15/2017



“When it comes to the environment, the Trump budget proposal was true to campaign promises — it would decimate the Environmental Protection Agency pretty much across the board, with the hatchet aimed with particular violence at programs and research related to climate change. Overall, Trump would cut the EPA budget by 31 percent and reduce the EPA workforce by 3200 positions. Many climate change programs would be obliterated. Based on campaign and transition team rhetoric, none of this is truly a surprise. But somewhat startling is Trump’s decision to ignore entirely the very public statements by the EPA’s Trump-appointed administrator Scott Pruitt who urged protection of the Superfund program, which is now targeted for a more than 30 percent cut. Clearly, someone was not listening when Pruitt called the Superfund program ‘essential to protect.’”

– Professor Nancy Loeb, “Even Trump should want the Superfund to be super,” *The Hill*, 3/24/17

“Empaneling a grand jury is consistent with Mueller’s reputation as a lawyer and investigator: a meticulous and thorough officer of the court who is committed to accuracy and the rule of law. But the grand jury’s existence doesn’t amount to a criminal charge, and it definitely doesn’t equate a criminal conviction. As we’re whipsawed by Washington, it’s worth taking a page from Mueller’s book, and following the evidence where it leads.”



– Professor Juliet Sorensen, “Why Robert Mueller’s Grand Jury Isn’t Really a Big Deal,” *Fortune*, 8/4/2017



“The word is out that the State Department’s Office of Global Criminal Justice will be eliminated. No longer will there be an ambassador-at-large dedicated to furthering America’s global engagement in the fight against impunity for mass atrocities. This can only be good news for the leaders of the Islamic State and other perpetrators of genocide, war crimes and crimes against humanity who should be brought to justice.”

– Professor David Scheffer, “The State Department’s retreat in the fight against genocide,” *The Hill*, 7/19/2017



# CWC Client Exonerated on Charges from 1995 Double Murder

*Charles Johnson shares his emotions after charges are dropped against him and three others.*

On February 15, the state of Illinois dropped all charges against the Bluhm Legal Clinic’s Center on Wrongful Convictions (CWC) client Charles Johnson and three other men—Larod Styles, LaShawn Ezell, and Troshawn McCoy—known as the “Marquette Park Four,” who were only teenagers when they confessed to a 1995 double murder.

On December 4, 1995, the owners of two used car lots were shot and killed on the southwest side of Chicago. The perpetrators escaped in two cars stolen from the lot, followed by a third car containing two co-conspirators who acted as look-outs. Six hours later, the stolen cars were found, abandoned, five miles from the crime scene. Police recovered marketing stickers that were on the front window shields of the cars when they were on the lot, but had been removed.

Based on an anonymous tip, one of the codefendants was picked up and pressured into confessing; he in turn implicated the other codefendants, including Johnson. Johnson’s case caught the attention of Professor Steven Drizin, of Steven Drizin, a clinical professor of law and nationally-renowned false confession scholar. The CWC took on Johnson’s case in 2008.

“Most of these young people thought they were going home after signing confessions,” Drizin said.

The CWC, partnering with attorneys from Kirkland & Ellis, moved for forensic testing of more than two dozen unmatched finger and palm prints lifted from the cars the killers had touched on the lot, the recovered stolen cars, and

the marketing stickers that had been peeled off the stolen cars. The new testing excluded Johnson and all of the codefendants, and also pointed to a teenager with a criminal record who lived less than one block from where the perpetrators abandoned the cars. The CWC used the evidence to



**This is a powerful testament to some of the reasons why we abolished the death penalty here in Illinois.”**

— STEVEN DRIZIN

secure a new trial, and Johnson was released on bond last fall. This week, Cook County State’s Attorney Kim Foxx’s office agreed to drop all charges.

“The dismissal of these cases today illustrates my absolute commitment to ensuring that this office reviews and addresses any credible claim of wrongful conviction or actual innocence,” Foxx said in a statement.

Prosecutors originally sought the death penalty in Johnson’s case, though a jury sentenced him to life without parole.

“This is a powerful testament to some of the reasons why we abolished the death penalty here in Illinois,” Drizin said. ●

## A Conversation with CFJC Alum Samantha Woo

Samantha Woo (JD '12), took a winding path after college, going from a master's in public health to her work now as a fifth-year associate focused on labor and employment issues at Jones Day. She discusses why her time in the Bluhm Legal Clinic was a pivotal stop along the way.



Samantha Woo (JD '12)

I really enjoyed the work but eventually I realized that if I was going to move up anywhere, I needed to get a PhD or some other degree. I'd always toyed with the idea of going to law school.

### What made you get involved in the Clinic?

What I love most about any kind of work is the ability to interface with people on a one-on-one level. I took advantage of pretty much any kind of practicum experience I could. I did the Criminal Justice Practicum, the Judicial Practicum, the Mediation Practicum. I decided to wait to do the Clinic until I was a third year, largely because I wanted to have a 711 license, which allows you to stand up in court and actually represent the client. The Juvenile Justice Clinic with Julie Biehl and Ali Flaum was a good combination of policy work, which I'd always been interested in, and direct client-related casework. I took it for all of my third year and it was by far the best experience that I had at law school. The amount of client interaction, the hands-on experience, and the true flavor of being a criminal defense attorney that you get from working with the professors is just unmatched.

### What was the experience like?

You dive right in immediately. You're assigned to cases and it was exactly what I wanted because there was a good variety. I was

### What brought you to law school?

I have a degree in international relations and when I graduated from college, I had no idea what I wanted to do. So I decided to get a master's in public health, and afterwards I worked directly with underserved populations for three years at the University of Illinois, Chicago. I

assigned to one matter where we worked to get legislation passed related to juvenile justice issues. I worked on two different petitions to remove adults from the sex offender registry. In one of those matters, I argued in front of a juvenile court judge and won.

The big case I worked on was a wrongful conviction case. The individual was sentenced to life without parole at the age of 17. When I joined the case, it had already been going on for a few years and we were at the point of trying to figure out ways to challenge the state's eye witness evidence. I did a lot of research about eye witness testimony and its unreliability. We got to go to the evidence room and actually look at the gun that was used to kill the victims, which was pretty crazy. We went to the scene of the crime, and went to visit our client in jail.

### How have you been able to carry the experiences from the clinic into your current work?

After law school I went to work at Jones Day. I'm a fifth-year associate now, in the Labor & Employment group. I do a combination of traditional employment litigation and labor-related work, which usually relates to unions. I do a little bit of transactional work, where I am reviewing the labor and employment side of a deal, an acquisition or merger of some kind. Along with that, I do a lot of pro bono work. One of the cases I'm working on now is an asylum case where we're representing an individual, originally from Guatemala, who walked across the border from Mexico and was detained in a detention center in Texas. We were able to get her out on bond and we're now representing her in her asylum hearing.

My other big pro bono case is a continuation of the wrongful conviction case I worked on in the Clinic. After [Supreme Court decisions effectively declaring juvenile life without parole unconstitutional], I, along with two other associates and a partner, represented our client, Jaime Hauad, at his resentencing hearing. And that was an incredible experience. We did direct examinations of witnesses at the hearing, we prepared them for the hearing, and we drafted briefs relating to the hearing. It was all with the guidance of the partner from Jones Day, Ted Chung (JD '93), and Ali. It was kind of like I was a student again. In the end we were able to get his sentence reduced significantly.

### You also did the Access to Health project. What was that experience like?

I loved that class because, first of all, it gave me the opportunity to meet people outside of the law school. It also took me back to my public health roots. Professor Sorensen brought in speakers from various disciplines to teach us about all of the factors that need to be taken into account when you're addressing access to health

issues in developing countries. I was lucky enough to be selected to go to Ethiopia during my spring break, which was an incredible experience. We were working with a hospital to find out their challenges in providing healthcare, particularly to individuals who were out in the more remote areas. Eventually we were able to put together an intervention that they could test out.

**Do you have any advice for current students?**

I do some mock interviewing and mentoring through Jones Day and I always say, no matter what, do the Clinic. It's a unique

opportunity that you're never going to get in any other scenario, particularly if, like in my case, you decide to go into private practice. Whether you're a transactional person or a litigation person, the Clinic is valuable because you're getting client interaction and you're working on cases that really matter to people. Recognize that you're working with incredible minds, and incredible people, who care a lot about their clients. It teaches you a lot about what it means to be a strong advocate and what it means to be a good lawyer, but also what it means to really care about your clients in a different way. ■

## A Conversation with CWCY Alum Abby Parr

Abby Parr moved to New York and began working at the Bronx Public Defenders Office after she graduated from Northwestern Law in 2014. Hard work and quick thinking helped her find her way during her first few years, but the formative time she spent with the Bluhm Legal Clinic gave her an undeniable advantage.



Abby Parr (JD '14)

**What drew you to public defender work after law school? Was there a particular person or experience that influenced your decision to pursue this path?**

As a senior in college, I interned with the St. Louis office of the Missouri State Public Defender, and this experience ultimately compelled me to apply to law

school and become a public defender. I was shocked and appalled by the glaring inequalities in our justice system, inequalities that are compounded by the fact that Missouri, which is where I'm from, has one of the least funded public defender systems in the country. While this internship was incredibly jarring, I was also impressed and inspired by all of the attorneys fighting hard on behalf of their clients in such a broken system. This experience cultivated my passion for this line of work and led me to where I am today.

**How did your clinical experience at Northwestern prepare you for what you're doing today?**

While in law school, I spent three semesters working with the Center on Wrongful Convictions of Youth, and this was by far the best part of my law school experience. I had the privilege of working with Steve Drizin, Laura Nirider, and Josh Tepfer—three of the best lawyers I've ever met. Steve, Laura, and Josh taught us what it means to be client-centered, and their unwavering commitment to providing the highest quality representation to every client inspired me. Even though I was a student, these professors treated me as a member of the team, and while this level of responsibility was intimidating, it forced me to rise to their expectations. Even today, I follow their example and push myself to a very high standard of exceptional representation by constantly striving to be a better, fiercer advocate.

My clinical experience also exposed me to the injustices that result from treating children as adults in the criminal justice system. At the Bronx Defenders, I am proud to work with members of our Adolescent Defense Project (ADP) representing 14- and 15-year-olds prosecuted as adults with violent felony charges. A portion of my caseload is made up of my office's youngest clients.

**What is your favorite memory from your days at the Bluhm Legal Clinic?**

It is not an exaggeration to say that I loved every day I spent at the clinic. Having so many brilliant legal minds around me on a daily basis was a true blessing, and I am so grateful for that experience. I am especially proud of the work we did on behalf of a client convicted of murder at 16 years old. Although I played a small role, I shared my team's joy and pride when our client was granted federal habeas relief for ineffective counsel. Upon his release from prison, I helped write and argue his state bond motion. When the prosecutor asked the court to deny bond, meaning our client would

be incarcerated pending retrial, we argued for his liberty until retrial. During the oral argument, I touted his pristine prison record and robust support system. The judge agreed with our position and released our client on his own recognizance. The prosecutor filed a motion to reconsider and we re-argued in front of the same judge only days before Christmas. Again the judge ruled in our client's favor, allowing him to remain in the community and spend the holidays with his family for the first time in more than a decade. I still can feel the thrill of our triumph, but more importantly, the satisfaction in attaining relief for our client from a harsh system.

**In your three years as a public defender, what have been some unexpected challenges, and how have you overcome them?**

Most of the challenges I've faced over the past three years aren't all that unexpected. I'm overworked, underpaid, and witness my clients experiencing many horrible things on a daily basis. This reality is beyond difficult, and I don't think I'll ever get over it. Instead, I've learned how to deal with it, channeling my frustration into powerful advocacy. I absolutely love my job at the Bronx Defenders because we have access to incredible resources and I work with an even more incredible team. Without my colleagues I simply could not do this job, and the criminal justice system cannot afford to lose the invaluable contributions of public defenders.

**What words of wisdom would you share with the current Clinic students who will soon be entering the world of legal practice?**

In law school I stressed about grades and learning case cites and holdings. Now I've realized that the classes I took were important in helping me think and write like an attorney, but I was shocked to see how little the law has to do with my actual job. Anyone can look up a case on Westlaw or figure out how to impeach a witness, but it takes a skilled attorney to effectively negotiate and gain trust from the client or a jury. So much of being a good lawyer, especially a good trial lawyer, is about being a good person. Learn how to speak and relate to people who are completely different from you and who often have a completely different worldview. I often remind myself that I am a person first, and a lawyer second, and that makes all the difference. ■



*Stacy Kapustina (JD '17), Garrett Fields (JD '18), Douglas Bates (JD '17) and their coach Richard Levin celebrate their win.*

## Bartlit Center Team Wins National Trial Competition

A Northwestern Pritzker School of Law team won the national championship in the National Trial Competition held in Fort Worth, Texas, March 23 to 25.

Stacy Kapustina (JD '17), Douglas Bates (JD '17), and Garrett Fields (JD '18) took first place in a field that originally included 300 teams in 14 regions.

At the finals, the students representing the Bluhm Legal Clinic's Bartlit Center for Trial Advocacy defeated teams from Temple University Beasley School of Law, South Texas College of Law, The University of California, Berkeley, School of Law and two teams from Georgetown Law on their way to the eventual championship.

The National Trial Competition, sponsored by the Texas Young Lawyers Association and the American College of Trial Lawyers, is the oldest and most prestigious trial competition in the United States. Bartlit Center teams have now won the competition five times, which ties for the most of any law school. The previous championship wins came in 1992, 1997, 2002 and 2011.

The Bartlit Center team was coached by Richard Levin of the Levin Riback Law Group.

"Our students put tremendous effort into their work, and they competed at the highest level of skill, dedication and professionalism," Levin said. "Stacy Kapustina, our captain, is the first student in our program to advance to the national competition two years in a row. She took over the courtroom with her incredible presence and style."

"Doug Bates gave the most outstanding closing argument I have seen," Levin said. "Garrett Fields performed a stunning cross-examination that catapulted our team into the playoff rounds. These three students exemplify teamwork in the litigation setting, and they are already among the most talented trial lawyers."

Levin also coached the 2011 championship team.

Steven Lubet, the Williams Memorial Professor of Law and the director of the Bartlit Center for Trial Advocacy, said the trial teams have a great winning tradition.

"We are especially proud because our students always approach these competitions by putting educational values first," he said. ■

# 25 Years of the CFJC: A Look Back

In March, the Children and Family Justice Center (CFJC) celebrated 25 years of promoting justice for children, adolescents, and their families. The CFJC Anniversary Benefit included an evening of poetry by Louder Than a Bomb youth poets and Young Chicago Authors Artistic Director, Kevin Coval. For 25 years, lawyers at the CFJC have been legal representatives, policy advocates and law reformers. Here's a look back at some of the center's standout achievements and memorable moments.



Moments from the CFJC's 25th Anniversary celebration.

## CFJC 25 CHILDREN AND FAMILY JUSTICE CENTER 25TH ANNIVERSARY

- In a victory for the CFJC, the Circuit Court of Cook County's Juvenile Justice Division is elevated to its own department, the Juvenile Justice and Child Protection Department.
- CFJC starts representing unaccompanied children in immigration authority custody.

1995

1999

1992

- The Children and Family Justice Center (CFJC) is founded at the Bluhm Legal Clinic and Bernadine Dohrn is named Founding Director.

1994

- CFJC convenes national working group on child gun deaths.
- CFJC's Bruce Boyer intervenes on behalf of the biological father in the high profile "Baby Richard" case, which results in state legislation that provides for a putative father registry with strict time limits for establishing paternity.

- CFJC presents "A New Era: Justice for the World's Children," an international symposium at the annual conference of the National Council of Juvenile and Family Court Judges, which was hosted in Chicago for the centennial of the world's first juvenile court.



- IL state commission issues CFJC-researched report, "Burdened for Life: The Myth of Juvenile Record Confidentiality and Expungement in Illinois."
- Civic and community group coalition issues CFJC-researched report, "Building a Safe Chicago: Calling for a Comprehensive Plan."
- Five CFJC clients who were sentenced to mandatory terms of life without the possibility of parole for crimes committed in their youth are resentenced to terms of years. By 2017, three are released.

- Attorneys and law students from the CFJC write two separate amicus briefs filed in the case of *Roper v. Simmons*. The Supreme Court finds the juvenile death penalty unconstitutional.

- Julie Biehl is appointed Director of the CFJC.

- IL state commission issues the CFJC-researched "Youth Reentry Improvement Report."

- CFJC hosts day-long symposium, "Sentencing and Re-Sentencing in a Post-Miller World."

2005

2009

2011

2014

2016

2006

- CJFC co-convenes the Illinois Coalition for the Fair Sentencing of Children to address the issue of extreme sentences for children, including life without the possibility of parole.

2010

- *Graham v. Florida*, which bans juvenile life without parole in non-homicide cases, is decided by the U.S. Supreme Court. The CFJC co-authors an amicus brief in the case.

2013

- IL raises the age of juvenile court jurisdiction to 18 based on CFJC-researched report "Raising the Age of Juvenile Jurisdiction."
- CFJC receives the MacArthur Award for Creative and Effective Institutions.

2015

- MacArthur Foundation's Models for Change releases CFJC-researched manual, "The Illinois Juvenile Collateral Consequences Checklist."
- IL reforms automatic transfer of youth to adult court based on CFJC research.

2017

- IL passes automatic expungement and juvenile confidentiality reform based on CFJC research (pending Governor's signature).
- Julie Biehl is awarded the Harry B. Reese Teaching Professorship.

## CENTER UPDATES

### Roderick and Solange MacArthur Justice Center

In January, a MacArthur team entered a settlement with the State of Illinois under which some parolees facing the revocation of their parole will receive state-funded counsel to defend them in their revocation proceedings. This settlement should greatly protect parolees' rights and contribute to reducing Illinois' overcrowded prisons.

In May, on the eve of trial, MacArthur agreed to a settlement with the City of Chicago and Cook County in the civil rights wrongful conviction suit of Terrill Swift, one of the "Englewood Four." Law enforcement coerced the confessions of four teenagers, including Swift, to a brutal rape and murder they did not commit. The teens served over 15 years in prison before they were exonerated in 2011.

In June, MacArthur filed a lawsuit with other civil rights partners in Chicago that is the first of its kind nationwide, challenging the Chicago Police Department's (CPD) pattern and practice of using excessive force, particularly against people of color. The lawsuit comes on the heels of a Department of Justice investigation of the police department, which found that the CPD systematically violates the rights of Chicagoans. The class action seeks declaratory and injunctive relief and an end to the CPD's brutal policing practices.

In 2016, MacArthur petitioned for and received the appointment of a special prosecutor to investigate the cover-up by CPD officers of the murder of Laquan McDonald by CPD Officer Jason Van Dyke in October 2014. Van Dyke shot 17-year-old McDonald 16 times as the teenager walked away from police. The officers involved in the cover-up have since been indicted.

MacArthur has had recent successes in various appellate cases as well, under the direction of the appellate director, David Shapiro, including the following:

*Mattox v. Edelman*: The Sixth Circuit reversed the district court for Todd Mattox, a prisoner with a serious heart condition. The issue involved the interaction between the Prison Litigation Reform Act and the Federal Rules of Civil Procedure.

*Blankenship v. Setzer*: The Fourth Circuit reversed district court's grant of summary judgment on First Amendment and Religious Land Use and Institutionalized Persons Act claims on behalf of Zachary Blankenship. Blankenship was a jail detainee in North Carolina who was transferred back and forth between jails and prevented from taking his Bible with him.

*Cotta v. County of Kings*: In this case, a violent detainee murdered his co-defendant after a jail official dispatched the two men

to live in the same cell, even though they were co-defendants. Jail policy advised against housing co-defendants together, and serious dangers can result when one co-defendant is "ratting" on the other. Shapiro and colleagues obtained partial reversal from the Ninth Circuit, allowing state law claims that had been dismissed to go forward.

*Holbrook v. Jellen*: A magistrate judge in Pennsylvania issued a report and recommendation in our case on censorship of political literature in Pennsylvania prisons—it recommended granting summary judgment to MacArthur on some claims, and denied summary judgment to the defendants on most of the rest of them. Earlier, the litigation forced the state to lift a system-wide ban on social media printouts sent to prisoners. ■

### Center for Wrongful Convictions of Youth

In August 2016, the Center on Wrongful Convictions of Youth (CWCY) won a new trial on behalf of client Brendan Dassey, whose false confession to murder at age 16 was profiled in the hit Netflix docuseries *Making a Murderer*. The State of Wisconsin appealed that ruling to the Seventh Circuit Court of Appeals, and in June 2017 that court affirmed the grant of relief. CWCY is currently litigating the State's appeal of the Seventh Circuit's three-judge panel decision. CWCY attorneys Steven Drizin and Laura Nirider continue to film the second season of *Making a Murderer*, which will be released in late 2017, as developments in Dassey's appeal unfold.

In December 2016, Robert Davis of Crozet, Virginia, who falsely confessed to a 2003 murder-arson at age 18, was formally exonerated by a clemency grant from Governor Terry McAuliffe. The CWCY worked as confession experts to secure Davis's exoneration and were featured on a Dateline NBC episode about Davis's case.

In February 2017, the CWCY also worked with partners at Kirkland & Ellis to exonerate Charles Johnson and the Marquette Park Four, who were wrongfully convicted of two 1995 Chicago-area murders based on false confessions as teenagers. That same month, the CWCY and partners at the Exoneration Project won the release of client John Horton, who falsely confessed at age 17 to a 1993 McDonald's robbery and shooting in Rockford, Illinois.

In March 2017, the CWCY and partners at the University of Idaho secured the release of Christopher Tapp, who falsely confessed at age 20 to a 1996 murder in Idaho, after recent DNA testing proved him innocent.

The CWCY hosted a cocktail hour fundraising event in June



2017, featuring guests of honor Dean Strang and Jerry Buting, former attorneys for Steven Avery who were featured heavily in *Making a Murderer*. The invitation-only event, which was generously sponsored by Sidley Austin, Kirkland & Ellis, Latham & Watkins, and Bartlit Beck, was attended by prominent members of the legal community as well as CWCY alumni from around the country.

CWCY staff continue speaking publicly on a regular basis about false confessions and police interrogations to audiences nationwide ranging from public defenders to judges, from police to prosecutors, from corporations to churches, from colleges and universities to the general public. Indeed, over a 36-week period in 2016-2017, CWCY staff spoke publicly at 38 separate events hosted by groups like the ABA, the American Psychological Association, the National Association of Criminal Defense Lawyers, the National Forensics College, the National Retail Federation, the Innocence Network, the Ohio State University, the University of Maryland, the University of St. Thomas, and many others. CWCY staff have also

been interviewed as interrogations experts on a number of national and international media outlets, including *CNN*, *The New York Times*, *ABC Nightline*, *Dateline NBC*, *Forbes*, *Esquire*, *Rolling Stone*, *the New Yorker*, and the UK's *The Guardian*. ■

*From left: Steven Drizin (JD '86), Jerry Buting, Dean Strang, and Laura Nirider (JD '08)*

## Civil Litigation Center

During the 2016-17 academic term, the Civil Litigation Clinic (CLC) continued to represent subsidized housing tenants facing eviction or termination of benefits in judicial and administrative proceedings. The cases were referred by and co-counseled with lawyers from both the Legal Assistance Foundation and Cabrini Green Legal Aid.

Three students represented clients in administrative hearings requiring them to give opening statements, conduct direct and cross examinations, enter documents into evidence, and give closing arguments. The students won all three hearings. Haley Soshnick (JD '18) and Stephen Laudone (JD '17) successfully defended

two clients against attempts by the Chicago Housing Authority to revoke their Section 8 housing choice vouchers, which provided the clients with very valuable rental subsidies.

Micky Cobrin (JD '17) represented a public housing tenant whose annual income for purposes of setting rent was determined by CHA to include his adult disabled son's SSI even though the money went to the son's mother and not to the client. Cobrin succeeded in getting the unrealized income removed from the client's rent calculation and even got the client a retroactive deduction for having a disabled family member. The client was very happy with what he called "his winning team."

Five students had a chance to conduct depositions. Brittany Washington (JD '17), Joey Becker (JD '18) and Cobrin conducted contentious depositions of police officers. Liani Balasuriya (JD '17) and Omar Delgadillo (JD '17) deposed building management employees about the conduct of a client who suffers from paranoid delusions which trigger erratic and threatening behavior

that the client does not later remember. The client and case presented unique challenges, but the students ultimately obtained a good settlement for her.

It was also a year of unusually intense and protracted discovery disputes. The students replicated much of what large firm litigators experience in presenting motions to compel and responding to motions to quash deposition subpoenas. Although the students were frustrated with the slow progression of their cases, the disputes gave them several opportunities to appear in court.

One of the CLC eviction cases ended up going to a jury trial. Unfortunately, the trial was continued enough times that it eventually took place over the summer when the students were all gone. Happily, the CLC's unbroken record of jury trial wins was maintained even without student involvement.

Balasuriya, Delgadillo, and Laudone spent many hours preparing a seven count complaint against a landlord who, among other egregious acts, illegally locked the client out of her apartment causing the

*The Environmental Advocacy Center continues to represent East Chicago residents on matters relating to the EPA Superfund site.*



woman and her young children to become homeless and lose all of their belongings. The complaint is ready to be filed; students in the 2017-18 term will be able to experience being the plaintiff for a change and, if all goes well, the client will win substantial damages.

In sum, this has been a good year for the Civil Litigation Clinic's two primary objectives of saving public housing tenants from wrongful evictions and subsidy terminations, and of enabling students to engage in live client lawyering activities. ■

## Environmental Advocacy Center

In the summer of 2016, the Environmental Advocacy Center (EAC) spearheaded formation of a coalition of law school clinics, public interest organizations and private attorneys to advocate for the threatened East Chicago environmental justice community. The crisis erupted when EPA regulators disclosed to the East Chicago government that sampling data from the East Chicago Superfund site showed alarmingly high levels of lead, arsenic, and other hazardous contaminants at the West Calumet Housing Complex in East Chicago, which was built on the footprint of the former USS Lead smelter operations. The more than 1000 residents of the West Calumet Housing Complex — many of whom were young children and families that had been unaware of the dangers they were being exposed to — were ordered by the mayor of East Chicago to evacuate the complex within 60 to 90 days.

Under the leadership of Debbie Chizewer, the Montgomery Foundation Environmental Law Fellow, clinic students worked with our partners at the University of Chicago Abrams Environmental Law Clinic and attorneys at the law firm Goldberg Kohn on a multi-faceted and fast-paced strategy to speed up and improve the scope of the proposed clean-up. The team quickly filed a motion on behalf of community residents to intervene in EPA's lawsuit against the responsible polluters. The team's advocacy has also had important successes including convincing EPA to expedite and expand current cleanup actions to cover more residences at the site, to include remediation of indoor dust at homes, to undertake a study of drinking water safety at the site, to initiate a new public health study for residents, and to increase community engagement.

The very recent drinking water study performed by EPA uncovered a new issue — prevalence of lead service lines and inadequate corrosion control, which are resulting in unsafe lead-contaminated drinking water. The EAC reacted quickly to this news and reached out to a new partner, the Natural Resources Defense Council, which led the team in filing a petition under the Safe Drinking Water Act requesting EPA to step in and ensure that the City of East Chicago is providing safe drinking water to the community.

These efforts, along with intense advocacy by community groups, raised the profile of the contamination in East Chicago to the national level. In response to the East Chicago crisis, EPA and the Department of Housing and Urban Development entered into a Memorandum of Understanding designed to improve communication at federally-assisted housing located near Superfund sites so that residents will be protected. In addition, the EPA Administrator visited the East Chicago site and put it on a list of priority sites slated to receive substantial agency attention.

The EAC has also continued its work with the Southeast Side Coalition to Ban Petcoke and other environmental partners to protect the residents on the southeast side of Chicago from harmful pollutants. It also continues to represent the Village of DePue, Illinois, in efforts to win a safe and faster cleanup of this rural Superfund site. This summer the Village saw some progress after more than 15 years of waiting for cleanup to begin. The Illinois EPA announced a Record of Decision for cleanup of residential properties and public spaces, including the school yard, ball fields, and parks. The EAC will now push to move the actual remediation of this part of DePue forward as quickly as possible and continue to advocate for cleanup of Lake DePue and the rest of the Village. ■

## Center for Capital Defense

This year, the Center for Capital Defense (CCD) filed numerous pleadings in courts at every level, from state trial courts to the U.S. Supreme Court, as well as undertaking a variety of types of direct advocacy including litigation, negotiation with both state and federal officials, and requests for executive clemency. CCD's cases attack a range of grave problems with the American criminal justice system.

In perhaps the most significant victory of the year, CCD lawyers persuaded the State of Texas to abandon its efforts to execute mentally disabled client Robert Campbell, convicted of murder in 1992 at age 19. In May 2014, Robert came within two hours of being put to death before CCD secured a reprieve from the Fifth Circuit Court of Appeals. In November 2016, the CCD filed a fully-developed habeas petition — written in part by clinic students — detailing the extensive evidence we had uncovered showing Robert's lifelong cognitive impairment. In spring 2017, the State advised the federal court that it could no longer dispute that Robert's mental condition made him ineligible for a death sentence. In June, Robert appeared in state court in Houston with CCD director Rob Owen and was re-sentenced to life imprisonment.

The CCD also continued to fight for the freedom of client Rigoberto Avila, Jr., who has been on Texas's death row since 2000.

In March 2017, a team of lawyers and clinic students spent three days in state court in El Paso, Texas, presenting evidence to support the claim that newly available scientific evidence proves Avila's innocence. Clinic students worked around the clock — conducting legal research, drafting documents, helping prepare witnesses, creating exhibits, and conferring with the client.

Along with faculty and students from the Center on Wrongful Convictions and across the clinic, the CCD completed its work on the case of Illinois prisoner Wayne Antusas. Convicted of a Chicago double murder in 1998, Antusas was originally sentenced to life imprisonment with no possibility of release. That sentence was vacated in 2015, and the CCD helped develop mitigating evidence — about his troubled family background, and about his sterling record of successful adjustment to prison — that was ultimately presented at a re-sentencing hearing in Cook County Criminal Court. The court imposed a new sentence that should see Antusas freed from custody in just a few years, giving him a meaningful chance to build a constructive new life in the community.

Additionally, CCD director Rob Owen — a frequent trainer at national capital defense programs and speaker on topics related to death penalty defense — participated in and presented at conferences and events across the country, including at NYU's Tony Amsterdam Supreme Court Practice Institute, Northwestern Law's Alumni Club of Houston, Evergreen College, and Northwestern University alumni events. ■

## Center for Criminal Defense

The Center for Criminal Defense had a productive and successful year, culminating in three consecutive favorable jury verdicts in criminal trials in the six months from mid-December to mid-June.

In December, a jury at the Leighton Criminal Courthouse acquitted client Jeffrey Smith of two counts of aggravated battery, both felonies, based on the dubious claim by two Chicago Police officers that Smith struck and injured each of them while he was his at own property in the Englewood neighborhood. Sarah Crocker (JD '17) played a significant role in preparing this case and examining numerous witnesses at the trial.

Junior Stephens was charged with the crime of fleeing and eluding a peace officer, who happened to be the Northfield Chief of Police. Clinic students Haley Wasserman (JD '17) and Brendan Gerdes (JD '18) were active participants in the trial held this March in the second district courthouse in Skokie. The jury needed only 90 minutes to acquit Stephens.

At least a dozen students worked on the Malvin Washington case over three academic years. Our client was charged with first-degree

murder after a bystander was killed when Washington, then 17, shot a gun defending himself against an attack by a violent, much older man. Abigail Hoverman (JD '17), whose contribution was indispensable over three semesters, was at trial providing important input most days. Washington was acquitted by the jury of first-degree murder, and instead convicted of lesser offenses. He was sentenced recently and will be released from prison soon. ■

## Appellate Advocacy Center

This year, the Appellate Advocacy Center continued to represent indigent parties in the Seventh Circuit and in the U.S. Supreme Court. The Supreme Court Clinic was proud to report a unanimous victory in *Dean vs. United States*. Dean had claimed that district courts may take into account mandatory consecutive sentences under § 924(c) in determining the sentence for the underlying predicate crimes. Eighth Circuit law, however, prohibited district courts from considering the fact or length of the § 924(c) sentence. In deciding the case, Chief Justice Roberts writing for the Court found that nothing in the language of § 924(c) mandated the Eighth Circuit's approach. The Court credited the vast discretion that district courts possess in fashioning sentences that are sufficient but not greater than necessary, and recognized that Congress has in other contexts specified when it intended to limit this sentencing discretion. As a result, the Court overturned Dean's sentence and remanded so that Dean may be resentenced. Several students in the Supreme Court Clinic worked with clinic professors and Sidley Austin lawyers to write the briefs.

The Federal Appellate Clinic had four cases go to argument in the Seventh Circuit this past year. It obtained a reversal for an incarcerated client who claimed that he suffered religious discrimination when the prison inhibited his ability to practice his Muslim faith. The district court had dismissed his case as barred by *res judicata*, but the clinic team was able to show that the doctrine did not apply and the district court had too hastily dismissed the case. In the final clinic case of the year, ably argued by two third-year students, Judge Posner in his last published opinion before retirement penned a strongly worded dissent asserting that prosecutorial misconduct and judge error warranted a new trial for a clinic client. Finally, the Center continued its tradition of hosting moot courts to help advocates prepare for their arguments in the Seventh Circuit and the Supreme Court, as well as its robust guest speaker series. The Center was pleased to host advocates in six moot courts as well as guest lectures by former Solicitor General Don Verrilli, former deputy White House



Counsel Susan Davies, Supreme Court journalist Tony Mauro, and Jeff Minear, Counselor to Chief Justice Roberts. ■

## Center on Wrongful Convictions

In March 2017, Patrick Pursley, a longtime client of the Center on Wrongful Convictions (CWC), was granted a new trial after newly discovered evidence called into question the reliability of the testimony of the State’s ballistics expert in Pursley’s trial. The State of Illinois expert had testified that the bullets and casings recovered from the scene of the 1993 Rockford murder of Andrew Ascher matched a gun linked to Pursley “to the exclusion of all other guns.” The CWC, partnering with Jenner and Block, successfully moved to compare the bullets and casings with other firearm and toolmark evidence in the National Integrated Ballistic

Identification Network. When no matches were found in the database, the team retained an expert witness to reexamine the original ballistics and he determined that the bullets and casings were not fired from the gun linked to Pursley. These new results led Judge Joseph McGraw to grant Pursley a new trial. In April 2017, Pursley was released on bond while the State appealed Judge McGraw’s decision. It was his first taste of freedom in over 23 years.

With the assistance of generous law firm sponsors, the CWC holds an annual symposium on issues relating to criminal justice and wrongful convictions. This year’s well-attended symposium on March 10, titled “Hot Topics in Criminal Justice: What You Need to Know,” addressed false confessions, eyewitness identifications, and the reliability of firearm and toolmark identification evidence — but the most talked-about session was “Implicit Bias and Decision Making in the Criminal Justice System.” Professor L. Song Richardson of the University of California, Irvine School of Law — a rising star in the field — began with a riveting presentation explaining how even well-meaning people

*Chicago Police Board President Lori Lightfoot, S Cook County State’s Attorney Kim Foxx, and Professor L. Song Richardson, of the University of California, Irvine School of Law discuss implicit bias in the criminal justice system.*



*Center on Negotiation and Mediation director Lynn Cohn (center) facilitates a restorative justice circle at a March symposium co-sponsored by the Journal of Law and Social Policy.*

can harbor hidden biases against members of certain racial groups, and how such implicit biases affect the administration of justice by police, prosecutors, defense attorneys, and judges. Next, a panel made up of Cook County State’s Attorney Kim Foxx, Chicago Police Board President Lori Lightfoot, and Cook County Public Defender Chief of Staff Lester Finkle, continued this theme by discussing how racial stereotyping affects the institutions they lead, and the steps they are implementing to ameliorate the effects of implicit bias in their organizations. ■

## Center on Negotiation and Mediation

The Center on Negotiation and Mediation (CNM) cosponsored the Journal of Law and Social Policy’s 10th Annual Symposium, “Healing Our Justice System: Restorative Justice and the Law” in March 2017.

Activists, organizers, educators, community advocates, police officers, probation officers, social workers, therapists, and others joined lawyers and law students to reflect on justice and healing. The center’s M.R. Bauer Foundation Fellow Annalise (Annie) Buth (JD ’07) provided an introduction to restorative justice philosophy, which views wrongdoing as a violation or breakdown of relationships and community rather than a violation of rules or law. The symposium challenged participants to reflect on repairing harm, understand the context surrounding harm, and empower those affected by harm so that they can repair it. Symposium participants observed Professor Lynn Cohn (JD ’87), director of the CNM, facilitate a circle with a group of Chicagoans who are serving their communities in powerful ways.

This summer, the Center welcomed Boston Law Collaborative Institute founder and John H. Watson, Jr. Lecturer on Law, David Hoffman, and founder of the Internal Family Systems (IFS) Model of Psychotherapy, Dr. Richard Schwartz, to lead a pioneering training on the relationship between IFS and mediation. IFS is a conceptual framework in therapy to help individuals

explore and comfort their conflicting parts of the mind and uncover their valuable insights. With Professor Len Riskin's leadership, law students in our courses have been exploring some of these concepts. This training was one of the first times the public was able to explore the actual skills of incorporating IFS into dispute resolution.

Alyson Carrel, assistant director of the Center on Negotiation and Mediation, was recently appointed as the Law School's first assistant dean of Law & Technology Initiatives in recognition of her endeavors in the tech space. Most recently, she spoke at TEACHx, an event showcasing and sparking innovative teaching, to discuss her student projects as part of the Mediation Advocacy Clinic. In the one-semester clinic, Carrel asks students to not only identify best practices as an attorney representing clients in mediation, but to also identify challenges facing self-represented parties when the clinic is not in session. With these challenges in mind, students then explore and design tech-based solutions to enhance parties' experiences in the mediation process. This past semester, students designed a web-based interactive form that presents questions for parties to consider when preparing for a mediation. The questions presented are based on the parties' previous answers, so that the experience is not only interactive, but tailored to the individual's situation. After completing the questions, the program then sends an automatic email to the party, summarizing their answers in a form similar to an attorney's representation plan. With this plan in hand, parties will feel more prepared, more confident, and ready to discuss options based in objective criteria as well as non-monetary interests. ■

## Complex Civil Litigation and Investor Protection Center

This past year, the Complex Civil Litigation and Investor Protection Center represented several clients, along with the MacArthur Justice Center and private counsel, in \$51 million of settlements of federal wrongful conviction civil suits. This work included not only the lawsuits themselves but six related lawsuits by insurance companies, including an appeal to the Illinois Appellate Court, as well as assisting clients in holistic representation of obtaining investment, accounting, and estate advice, as well as obtaining favorable tax treatment of the awards.

The center aided the Commodity Customer Coalition in full recovery of \$1.6 billion in client funds in MF Global fraud and subsequent bankruptcy. It also represented husband and wife retirees in a successful Finra arbitration trial in St. Louis that resulted in

full recovery of funds that were result of fraudulent activity of their investment advisor. The case was tried by two of the clinic students. The center filed federal suit on behalf of Indian American clients who lost \$700,000 in a fraudulent investment club.

The center hosted a SEC and Finra Midwest Securities Regulatory Summit and an Investor Protection Roundtable in April that featured speakers and panelists from the SEC, Finra, Illinois Department of Securities, U.S. Attorney's Office, and state regulators. Two clinic students participated in the program as speakers. The keynote speaker was SEC Commissioner Kara Stein, making her second visit to Northwestern in a year.

The center also arranged a low-interest loan program for the clinic's wrongfully convicted clients who had been awarded compensation by the Illinois Court of Claims but were delayed in receiving the payments due to the political impasse in Springfield. It also represented a real estate investor who was defrauded as a result of a fraudulent mortgage scheme, filing a federal securities lawsuit, representing the client in related real estate bankruptcy matters, and working with SEC on enforcement action. ■

## Center for International Human Rights

Building on the momentum and interest of practitioners, advocates, and academics from the 2016 interdisciplinary symposium *The Opioids Epidemic: An Interdisciplinary Approach*, the Northwestern Access to Health Project and the Northwestern University Public Health Review are again partnering to host an interdisciplinary roundtable on opioids in October 2017. Bringing together top specialists working across fields in greater Chicagoland, the roundtable will further a Chicago-focused working group aimed at analyzing causes, costs, and consequences of the epidemic, as well as strategizing to develop meaningful interventions across disciplines.

This past March, the interdisciplinary Northwestern Access to Health project—under the direction of Professor Juliet Sorensen—took six Health and Human Rights students to Lebanon along with Schuette Clinical Fellow in Health and Human Rights Anna Maitland and Professor Maria Hawilo. At the invitation of several NGOs based in Lebanon and with research support from peers in Chicago, the group conducted an interdisciplinary assessment of the health, human rights, and development concerns of Syrians displaced in Lebanon. Engagement on these issues continues with community-based partner organization, Basmeh and Zeitoonah, where students, faculty, and on-the-ground advocates work to



2017 Bartlit Center ABA Labor Law Team (left to right): Brenna McLean, Michael Ovca, Brooke Troutman, and Patrick Cordova

further targeted, needs-based initiatives.

The Program for African Studies Executive Committee has awarded the Northwestern Access to Health Project a grant to support its ongoing work in Lagos, Nigeria. This grant will continue to provide students with opportunities to work with and advocate alongside partner communities in Lagos while working to address key barriers to health through community education, government partnerships, and innovative, interdisciplinary programs.

The Northwestern Access to Health Program is pleased to announce 2017-2018 Schuette Fellow in Health and Human Rights, Elise Meyer, and 2017-2018 Schuette Global Fellow, Andrew Dilts. Meyer comes to Northwestern from DC, where she has been working on global justice initiatives. She will be utilizing her experience to support the Access to Health project

and clinical education. Dilts (JD-MBA '17) will leverage his joint degree at his placement with the World Food Program to analyze public-private partnerships and food delivery to food-insecure areas of the world. These two exceptional fellows will support ongoing projects to improve access to health and are a welcome addition to the growing Access to Health team. ■

## Bartlit Center for Trial Advocacy

Professor Bob Burns and the National Institute for Trial Advocacy (NITA) assembled and led “The A Team” to teach a four-day intensive trial advocacy course at the Law Offices of the Cook County Public Defender. The Burns/NITA team, all working pro bono, worked closely over the four days with a group of assistant public defenders who are in the trenches day in and day out. The team included Professor Burns, Professor Maria Hawilo, Professor Wendy Muchman, Jim Epstein (JD '78), Stuart Chanan (JD '85), Angela Vigil (JD '95), Rick Levin, Jamie Carey, Zelda Harris, and Warren Wolfson. The materials for the

course were Steve Lubet’s book, *Modern Trial Advocacy*, and Burns and Lubet’s *State v. Burns* NITA case file.

In January, Brenna McLean (JD '17), Patrick Cordova (JD '17), Michael Ovca (JD '17), and Brooke Troutman (JD '18), advanced to the final round and captured second place at the national ABA Labor Law Competition in New Orleans, after winning the Midwest Regional in the fall. The team was coached by Robert Robertson and Marko Duric (JD '12) of Robertson Duric, and Kendrick Washington (JD '10) of the U.S. Department of Education, Office for Civil Rights.

In March, Stacy Kapustina (JD '17), Douglas Bates (JD '17), and Garrett Fields (JD '18) won the National Trial Competition, the oldest and most prestigious trial competition in the United States. They were coached by Rick Levin, of the Levin Riback Law Group. (Read more on page 9.) ■



## AWARDS

**Tom Geraghty** received the AALS' 2017 William Pincus Award for Outstanding Service and Commitment to Clinical Legal Education, the UNICEF Chicago Humanitarian Award, the Abner J. Mikva Award from the American Constitution Society, and the Dawn Clark Netsch Public Service Award.

Ministry Organization Humanitarian Award.

**Steve Drizin** and **Laura Nirider** were both honored to receive the Campaign for Fair Sentencing of Youth's Healing and Hope Award in November 2016 at the campaign's annual Washington, D.C. awards ceremony. Steve and Laura are also honored to have been named recipients of the Northwestern Pritzker School of Law's Dawn Clark Netsch Public Service Award, which will be conferred in October at the 2017 Northwestern Law Alumni Awards Luncheon.



In May, **Sheila Bedi**, **Vanessa del Valle**, and **Alexa Van Brunt** received the Federal Bar Association Award for Excellence in Pro Bono Service for their class action litigation related to parole revocation reform in Illinois. **Danny Greenfield** received two such awards for work he did on behalf of prisoners at the Cook County Jail while he was employed as the pro bono coordinator at Sidley Austin.

The United States House of Representatives' Congressional Black Caucus awarded its Veteran's Braintrust Award to **Steven Drizin** for his work in exonerating Clyde Kennard, a former veteran of the Korean War and a civil rights leader in Mississippi who was framed for a crime he did not commit when he tried to enroll in Mississippi Southern College in late 1950's and early 1960's.



**Annalise Butth (JD '07)**, a clinical fellow, received a young alumni award from the Student Funded Public Interest Fellowship (SFPIF) Program in March.

The **Center on Wrongful Convictions** received the Illinois Adventist Prison



## PRESENTATIONS

**Annalise Butth:** "Restorative Justice 101," Journal of Law and Social Policy Symposium, March 2017.

Symposium, March 2017.

**Alyson Carrel:** "Technology Enhancing and Disrupting ADR," Jed D. Melnick Symposium, Cardozo School of Law, November 2016.

**Daniel J. Gandert:** "World Anti-Doping Code: Doping Among Athletes," Maryland Journal of International Law Symposium Corruption in International Sports, October 2017.

**Alyson Carrel:** "Artificially Intelligent Mediator: Future Proofing ADR," ABA-DR Annual Conference, April 2017.

**Daniel J. Gandert:** "Dispute Resolution Practices and Techniques that Help Students Survive Tumultuous Times," Association of American Law Schools Conference on Clinical Legal Education, May 2017.

**Alyson Carrel:** "Using Technology to Unlock Engagement and Learning," AALS Annual Conference, January 2017.

**David Shapiro:** "Don't Get Reversed! Common Errors in Prison Cases," Federal Judicial Center in Washington D.C., May 2017.



**Lynn P. Cohn:** "A Vision of Restorative Healing and Community," panelist, Journal of Law and Social Policy

## Faculty Publications

The Bluhm Legal Clinic faculty produces world-class scholarship and commentary on a diverse range of contemporary legal issues. The following is a selection of scholarly works by clinical faculty published in 2016-17.



**Robert P. Burns**  
WILLIAM W. GURLEY  
PROFESSOR OF LAW

*Evidence in Context: A Trial Evidence Workbook* (with Steven Lubet and Richard Moberly). National Institute for Trial Advocacy. 2017.

"Jury Nullification and the Constituent Power of the Jury." *Law, Culture, and the Humanities*. 2017.

*Problems and Materials in Evidence and Trial Advocacy, Volumes I and II* (with Steven Lubet and Richard Moberly). National Institute for Trial Advocacy. 2017.

"Arendt's Constitutional Thought" in *Arendt and Law*, edited by Mario Goldini & Christopher McCorkingdale. 2017.

"Jury Nullification and the Constituent Power of the People." *Northwestern Public Law Research Paper*. 2017.

*Cranbrooke v. Intellex* (with Steven Lubet, John T. Baker, Terre Rushton, and Jim H. Seckinger). National Institute for Trial Advocacy. 2016.

"Is Our Legal Order Just Another Bureaucracy?" *Loyola University Chicago Law Journal*. 2016.



**Lynn P. Cohn**  
CLINICAL PROFESSOR OF  
LAW

"A Model for the Use of ADR to Efficiently Distribute a Significant Settlement Fund in Mass Claims Litigation

Without Sacrificing an Individualized Assessment of Claims." *Cardozo Journal of Conflict Resolution*. 2017.

"Anatomy of a Settlement Fund: How ADR Helped Establish and Deploy a Mass Claims Distribution." *Alternatives to the High Cost of Litigation*. 2017.



**Steven Drizin**  
CLINICAL PROFESSOR OF  
LAW

"Gerald Gault, Meet Brendan Dassey: Preventing Juvenile False and Coerced

Confessions in the 21st Century." *The Champion* (with Laura Nirider and Megan Crane). 2017.



**Carolyn Frazier**  
CLINICAL ASSISTANT  
PROFESSOR OF LAW

"Today's scarlet letter — the sex offender registry — is risky justice for youth." *Chicago Tribune*. 2017.



**Daniel Gandert**  
CLINICAL ASSISTANT  
PROFESSOR OF LAW

"A Change in Intent: The 2015 World Anti-Doping Code." *International Sports Law Review Pandektis*. 2016.



**Nancy C. Loeb**  
CLINICAL ASSOCIATE  
PROFESSOR OF LAW

"Even Trump Should Want the Superfund to Be Super." *The Hill*. 2017.



**Steven Lubet**  
EDNA B. AND EDNYFED  
H. WILLIAMS MEMORIAL  
PROFESSOR OF LAW

*Evidence in Context: A Trial Evidence Workbook* (with Robert P. Burns and Richard

Moberly). National Institute for Trial Advocacy. 2017.

*Problems and Materials in Evidence and Trial Advocacy, Volumes I and II* (with Robert P. Burns and Richard Moberly). National Institute for Trial Advocacy. 2017.

"How a Study About Chronic Fatigue Syndrome Was Doctored, Adding to Pain and Stigma." *The Conversation*. 2017.

"Politics and the English Editor." *The New Rambler Review*. 2017.

"Does Jason Chaffetz Understand His Job?" *CNN* (with Andrew Koppelman). 2017.

"Review of *The Parker Sisters: A Border Kidnapping*, by Lucy Maddox." *American Historical Review*. 2017.

"Fresno State Professors Must Stop Pushing Anti-Israel Conspiracy Theories." *The Forward*. 2017.

"Alito and the Code." *Slate*. 2017.

"In Defense of Kellyanne Conway." *Slate*. 2017.

"Investigator Bias and the PACE Trial." *Journal of Health Psychology*. 2017.

"Defense of the PACE Trial Is Based on Argumentation Fallacies." *Journal of Health Psychology*. 2017.

"Why This Lifelong White Sox Fan Will Root for the Cubs." *Chicago Tribune*. 2016.

"In Defense of Judge Turner (sort of)." *Chicago Tribune*. 2016.

*Cranbrooke v. Intellex* (with Robert P. Burns, John T. Baker, Terre Rushton, and Jim H. Seckinger). National Institute for Trial Advocacy. 2016.

"Langston Hughes's Shawl: Our Objects Tell Amazing Stories, Not All of Them True." *Humanities* (with Rachel Maines). 2016.



**Laura Nirider**  
CLINICAL ASSISTANT  
PROFESSOR OF LAW

"Gerald Gault, Meet Brendan Dassey: Preventing Juvenile False and Coerced Confessions in the 21st

Century." *The Champion* (with Steven Drizin and Megan Crane). 2017.



**Leonard L. Riskin**  
HARRIS H. AGNEW  
VISITING PROFESSOR OF  
DISPUTE RESOLUTION

"Kormendy Lecture: Negotiation, Outside-In and Inside-Out: On the Level or Thereabout." *Ohio*

*Northern University Law Review*. 2017.



**David Scheffer**  
MAYER BROWN/ROBERT  
A. HELMAN PROFESSOR  
OF LAW

"Some Realities Behind the Application for Revision Concerning Bosnia and Herzegovina v. Serbia." *Just Security*. 2017.

"The Missing Pieces in Article 8 bis (Aggression) of the Rome Statute." *Harvard International Law Journal Online*. 2017.

"The State Department's retreat in the fight against genocide." *The Hill* (with Clint Williamson and Stephen Rapp). 2017.

"Prevent and punish in South Sudan." *The Hill* (with Clint Williamson and Stephen Rapp). 2017.

"The Creation and Legacy of the ICTY" in *The Research Process, Documentation and Prosecution of Genocide in Bosnia and Herzegovina*, edited by Irfan Ajanovic & Indira Osmic. 2016.

"Criminal Justice" in *The Oxford Handbook of International Organizations*, edited by Jacob Katz Cogan, Ian Hurd, and Ian Johnstone. Oxford University Press. 2016.

"Three Realities About the African Situation at the International Court." *ICC Forum*. 2016.

"More Options for Africa Under the Rome Statute." *Just Security*. 2016.

"How to Move Beyond South Africa's Notice of Withdrawal from the International Criminal Court." *Just Security*. 2016.

"The Creation of the Tribunals." *American Journal of International Law* (with Michael J. Matheson). 2016.



**David M. Shapiro**  
CLINICAL ASSISTANT  
PROFESSOR OF LAW

"No Lives Matter? Pro-Cop Bill Would Make It Law of the Land." *United States Law Week*. 2017.

"New Illinois Prisoner ID Law Is Weak Medicine." *Chicago Sun-Times*. 2017.

"No Denying: Sessions' Moves Revive Allegations of Racism." *Chicago Tribune*. 2017.

"Can the Trump Administration Kick Disfavored Reporters out of Briefings?" *The Hill*. 2017.

"Sentenced to Shut Up: To Protect Free Expression, Curb Prison Censorship." *Truthout*. 2017.

"Lenient in Theory, Dumb in Fact: Prison, Speech, and Scrutiny." *George Washington Law Review*. 2016.

"President Obama Should Curb Mass Incarceration with Clemency." *The Hill*. 2016.

"Stop Suing Ex-prisoners To Recover Room-and-Board Costs." *Chicago Sun-Times* (with Alan Mills). 2016.

"Private Prisons Are A Public Shame." *Chicago Sun-Times*. 2016.



**Juliet Sorensen**  
HARRY R. HORROW  
PROFESSOR IN  
INTERNATIONAL LAW

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